

of 1954 (68A Stat. 949, 26 U.S.C. 6071; 68A Stat. 917; 26 U.S.C. 7805).
 William E. Williams,
Acting Commissioner of Internal Revenue.

Approved: December 19, 1980.
 Donald C. Lubick,
Assistant Secretary of the Treasury.
 [FR Doc. 81-508 Filed 1-7-81; 8:45 am]
 BILLING CODE 4830-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Chapter VII

Surface Mining Reclamation and Enforcement Permanent Regulatory Program; Extension of Date for Submission of Information

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), United States Department of the Interior.

ACTION: Notice of extension of date for submission of information.

SUMMARY: OSM is extending the deadline for interested persons to respond to a request for information on the amount of time it takes coal operators to comply with the Permanent Regulatory Program's reporting and recordkeeping requirements.

DATES: Comments are due by September 10, 1981 for reporting under 30 CFR Part 707. Comments are due by October 10, 1981 for reporting under 30 CFR Parts 816, 817, 822 and 826. Comments are due by October 31, 1981 for all reporting under all other 30 CFR Parts.

ADDRESS: Assistant Director, Management and Budget, Office of Surface Mining Reclamation and Enforcement, Room 226, 1951 Constitution Avenue, NW, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Joan Shaw, 202-343-5447.

SUPPLEMENTARY INFORMATION: By notice confirming the recordkeeping and reporting requirements which appeared in the *Federal Register* on June 18, 1979 (44 FR 35192-93), OSM asked operators to inform it as to how long it takes them to comply with its Permanent Regulatory Program's reporting and recordkeeping requirements. The original deadline for such information was November 30, 1980. At the request of several industry members, OSM has decided to extend the deadlines in order to allow operators to report to OSM the time it is taking them to comply with requirements which, in many cases, are only

becoming applicable in 1981. The dates selected by OSM correspond to deadlines by which OSM must submit its estimates of compliance time to the General Accounting Office.

Accordingly, the period is extended through October 31, 1981 for all information previously requested except for information relating to 30 CFR Parts 707, 816, 817, 822 and 826. The extension dates listed below have been established for comments on these Parts.

Comments are due by September 10, 1981 for:

30 CFR Part 707—Information to be maintained on site for extracting coal incident to government-financed highway or other construction.

Comments are due by October 10, 1981 for:

30 CFR Part 816—Permanent Program Performance Standards—Surface mining activities.

30 CFR Part 817—Permanent Program Performance Standards—Underground mining activities.

30 CFR Part 822—Special Permanent Program Performance Standards—Operations in alluvial valley floors.

30 CFR Part 826—Special Permanent Program Performance Standards—Operations on steep slopes.

The reader is referred to the June 18, 1979 *Federal Register* (44 FR 35192-93) for further information.

Note.—The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

The Department of the Interior has determined that this document is not a major Federal action significantly affecting the quality of the human environment. Accordingly, no environmental impact statement has been prepared separately for this action.

Dated: December 30, 1980.

Walter N. Heino,
Director, OSM.

[FR Doc. 81-605 Filed 1-7-81; 8:45 am]
 BILLING CODE 4310-05-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD 78-173]

Drawbridge Operation Regulations; Newark Bay, Passaic, and Hackensack Rivers, New Jersey

AGENCY: Coast Guard, DOT.

ACTION: Final Rule Correction.

SUMMARY: This document corrects a final rule published at 45 FR 73653, November 6, 1980, relating to certain railroad drawbridges across the Passaic and Hackensack Rivers in New Jersey.

FOR FURTHER INFORMATION CONTACT: Frank L. Teuton, Jr., Chief, Drawbridge Regulations Branch (G-NBR/14), Room 1414, Coast Guard Headquarters, 2100 Second Street, SW., Washington, D.C. 20593 (202-426-0942).

SUPPLEMENTARY INFORMATION: In FR Doc. 80-34518 appearing on page 73653 in the *Federal Register* of November 6, 1980 there were several typographical errors. These should be corrected as follows:

1. In paragraph (a)(5)(iv) of § 117.200 the word "Western" should be substituted for "Eastern," and the number "16.3" should be substituted for "10.3."

2. In paragraph (a)(5)(v) of § 117.200 the number "16.5" should be substituted for "10.5."

3. In the list of paragraphs deleted from § 117.225(f), the number "(1-e)" should be substituted for "(1.3)."

Dated: December 30, 1980.

R. A. Bauman,
Rear Admiral, U.S. Coast Guard Chief, Office of Navigation.

[FR Doc. 81-077 Filed 1-7-81; 8:45 am]
 BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-7-FRL 1722-3]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Receipt of Submittal to Satisfy Conditions of Plan Approval.

SUMMARY: In order to satisfy the requirements of Part D of the Clean Air Act, as amended, the State of Missouri revised its State Implementation Plan (SIP) in 1979 to include a permit program for new and modified major stationary sources of air pollutants. On May 9, 1980, EPA conditionally approved Missouri's permitting regulations. On December 22, 1980, the state submitted a draft revision to the regulations for the purpose of fulfilling one of these conditions.

The purpose of this notice is to advise the public that the state has

drafted a revision to the regulation to satisfy the condition. EPA is reviewing the material submitted and intends to issue a notice of final rulemaking if the state submits a final regulation which is substantially the same as the draft revisions. Until final action is published in the *Federal Register*, the conditional approval of the SIP is being continued.

ADDRESSES: Copies of the state submission are available for inspection during normal business hours at the following locations:

Environmental Protection Agency, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64108.

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Room 2922, Washington, D.C. 20460

Missouri Department of Natural Resources, 2010 Missouri Boulevard, Jefferson City, Missouri 65101

FOR FURTHER INFORMATION CONTACT: Wayne G. Leidwanger at (816) 374-3791 (FTS) 758-3791.

SUPPLEMENTARY INFORMATION: On May 9, 1980, EPA conditionally approved certain elements of Missouri's SIP with regard to the requirements of Sections 172(b)(6), 172(b)(11)(A) and 173 of the Clean Air Act, as amended (45 FR 30626). These sections require states to establish in the SIP a permit program for new and modified sources of air pollutants in areas where the air quality is worse than the national standards. Missouri's program, as outlined in Rule 10 CSR 10-6.060 Permits Required and in Rule 10 CSR 10-6.020 Definitions, contained minor deficiencies resulting in EPA's conditional approval on May 9, 1980. The state agreed to correct these deficiencies by certain deadlines.

One of the conditions promulgated by EPA requires the state to change the requirements for permitting modifications to Class C sources (major sources in nonattainment areas) to be applicable both to a modification to a single source operation and to two or more sources operations which result in an increase in potential emissions greater than certain levels (de minimus) specified in the regulation. This change was to be submitted to EPA by January 1, 1981.

On December 1, 1980, the state published in the *Missouri Register* a proposed change to Rule 10 CSR 10-6.060 for the purpose of fulfilling this condition. This proposed revision was received by EPA on December 22, 1980. The Missouri Air Conservation Commission has scheduled a public hearing in regard to this matter on

January 21, 1981. (The Commission did not meet in December.)

The public is advised that the state has submitted a draft revision to the regulations. EPA is reviewing the material to determine if it complies with the requirements of the Clean Air Act and the condition promulgated by EPA. EPA intends to issue a notice of final rulemaking if the state submits final revisions to the regulation which are substantially the same as the draft changes. EPA's conditional approval of the Missouri SIP is being continued until final action is published in the *Federal Register*.

Dated: January 2, 1981.

Kathleen Camin,
Regional Administrator.

[FR Doc. 81-076 Filed 1-7-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 87

[EN-FRL 1721-1]

Control of Air Pollution From Aircraft and Aircraft Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule.

SUMMARY: This final rule extends the applicability of the temporary exemption provision of the standards for smoke and fuel venting emissions from some in-use aircraft engines to include the JT3D engine smoke standard, for which partial compliance is required by January 1, 1981. This rule also delays the existing partial compliance date from January 1, 1981, until February 1, 1981.

The existing exemption provision is not applicable to JT3D engines and EPA is unable to exempt operators who have recently indicated that they cannot meet the January 1, 1981 compliance date. The one month delay of the compliance date will give EPA time to respond to the exemption requests it has received.

The rule will enable EPA to provide temporary relief to numerous operators of JT3D powered aircraft who are unable to obtain retrofit parts.

EFFECTIVE DATE: January 8, 1981. The EPA will, however, consider revisions based on comments it receives on or before February 9, 1981.

ADDRESS: Send written comments to: Director, Manufacturers Operations Division (EN-340), U.S. Environmental Protection Agency, Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. John Guy, Manufacturers Operations Division (EN-340), U.S.

Environmental Protection Agency, Washington, D.C. 20460 (202) 472-9413.

SUPPLEMENTARY INFORMATION: The aircraft engine exhaust emission standards were promulgated by EPA on July 17, 1973 (38 FR 19090). Several of the provisions of these standards required compliance of in-use aircraft gas turbine engines (JT8D) certified for operation within the United States with smoke and fuel venting requirements by January 1, 1974. Because the short time period between promulgation of the standards and that effective date was not sufficient for all operators to complete modifications on their aircraft to meet these requirements, the regulation was amended on December 21, 1973, to add a provision for temporary exemptions (38 FR 35000). This provision permitted temporary exemptions from the smoke and fuel venting requirements to accommodate problems encountered by several airlines in completing the necessary retrofit work by January 1, 1974.

At that time, it was not expected that similar problems would be encountered by operators of aircraft powered by JT3D engines in complying with the smoke standard applicable to that engine. This was because the effective date was considerably later (January 1, 1978) so as to allow sufficient lead time for development and certification of the necessary smoke reduction components, and it was not anticipated that any operators would incur serious delays in compliance.

Although the JT3D smoke retrofit program compliance date has been further delayed twice since 1973 (41 FR 54861; December 15, 1976, and 44 FR 64266; November 6, 1979), it nevertheless appears that there may be operators of JT3D powered aircraft who will experience difficulty in achieving the required compliance with the smoke standard by January 1, 1981. The reasons for these difficulties include small companies just entering the airline industry who were not aware of the requirement, the lead time necessary to purchase a retrofit kit and the cost of replacement engines or aircraft.

With due consideration to the foregoing, it has been determined that the applicability of the temporary exemption provisions of the aircraft engine emission standards should be extended to include smoke standards applicable to in-use JT3D engines. This action will provide the necessary authority to provide temporary exemptions for aircraft or aircraft engine owners or operators who apply for an exemption and who demonstrate that

they comply with the criteria provided in 40 CFR 87.101.

There are no significant air quality impacts to this amendment. FAA estimates that JT3D powered aircraft represent less than 10% of domestic operations. Because these engines are fuel inefficient, the major airlines have drastically curtailed their usage, so that operations involving them have been reduced by more than one-quarter since 1976. Further, most major airlines which use this equipment have either already retrofitted their engines or are on an FAA compliance plan.

The Agency finds that to propose this revision to the temporary exemption regulations prior to final rulemaking would be impracticable and contrary to the public interest. These revisions are critical to the activities of operators of JT3D powered aircraft and must be effective as soon as possible to permit these operators to apply for exemptions, given the smoke standard compliance date of January 1, 1981. Without these amendments, certain operators of these aircraft would be forced to ground their airplanes as of the January 1, 1981, effective date. Moreover, these amendments will not have a significant adverse effect upon air quality, as described above. The Agency finds further that there is good cause to make these revisions effective earlier than 30 days after their promulgation because they provide a means whereby aircraft operators may obtain temporary relief from restrictions in the present regulations.

EPA will act promptly on requests for temporary exemptions submitted in accordance with the procedures described in § 87.101. However, because there is insufficient time to enable aircraft operators to apply for exemptions and for EPA to act on those requests, the amendment to the regulations delays the effective date of the standards for one month, to enable aircraft operators to continue operations while they are submitting requests for temporary exemptions. Exemption requests, however, may be submitted at any time before or after February 1, 1981.

This rulemaking action does not constitute a regulation which will result in major economic impact. Accordingly, the Environmental Protection Agency has determined that this document does not contain a major proposal or a substantial revision requiring preparation of an economic impact analysis under Executive Orders 11821, 11949 and 12044, OMB Circular A-107, or Section 317 of the Clean Air Act.

Dated: December 31, 1980.
Douglas M. Costle,
Administrator.

Part 87, Chapter I of Title 40 of the Code of Federal Regulations, is amended as follows:

1. In section 87.101, all of paragraphs (a) and (b) which precede paragraphs (a)(1) and (b)(1) respectively are revised to read as follows:

§ 87.101 [Amended]

(a) The Administrator of the Environmental Protection Agency may grant to any aircraft or aircraft engine temporary exemption from any applicable standard under § 87.11(a), § 87.31(a), or § 87.31(c), provided that the owner or operator of such aircraft or aircraft engine demonstrates:

(b) Applications for temporary exemptions from the requirements of § 87.31(a) or § 87.31(c) shall be submitted in duplicate to the Administrator of the Environmental Protection Agency and shall contain the following information:

2. In § 87.102, paragraphs (c) and (d) are added to read as follows:

§ 87.102 Thirty-day suspension of fuel venting and smoke standards.

(c) The applicability of the standards of § 87.31(c) to aircraft subject to such standards is suspended until February 1, 1981.

(d) Application for temporary exemption from the standards of § 87.31(c) for aircraft which will not be in compliance by February 1, 1981, must be submitted in accordance with the procedures of § 87.101.

(Secs. 231, 301(a), Clean Air Act, as amended (42 U.S.C. 7571, 7601(a)))

[FR Doc. 81-450 Filed 1-7-81; 8:45 am]

BILLING CODE 5560-33-M

40 CFR Part 122

[EN-FRL 1710-7]

Consolidated Permit Regulations; NPDES Application Requirements for Coal Mines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Suspension of portion of final rule.

SUMMARY: This action suspends for the Coal Mining Point Source Category a portion of the requirements in EPA's consolidated permit regulations that certain testing data for organic toxic

pollutants be submitted as part of the application for a National Pollution Discharge Elimination System (NPDES) permit. During the suspension, EPA will reconsider the appropriateness of this requirement in light of the coal industry's petition for reconsideration based upon newly presented data.

EFFECTIVE DATE: January 8, 1981.

FOR FURTHER INFORMATION CONTACT: Gail S. Goldberg, Office of Water Enforcement (EN-336), Washington, DC, 20460, (202) 426-7035.

SUPPLEMENTARY INFORMATION: On May 19, 1980, EPA issued final consolidated permit regulations and the NPDES permit application forms under the Clean Water Act (45 FR 33290). Included in those regulations and the NPDES permit application form is a requirement that applicants provide data obtained through sampling and analysis to characterize their process wastestreams for those pollutants specifically listed in Appendix A to Part 122. Applicants in the coal mining industry, which is listed as a primary industry in the Consent Decree issued in *NRDC v. Train*, 8 ERC 2120 (D.D.C. 1976), modified March 9, 1979, 12 ERC 1833, 1841, must test their process wastewater discharges for toxic pollutants.

The May 19 regulations, at 40 CFR Part 122.53(d)(7)(ii)(A), provide that:

(ii) Each applicant with processes in one or more primary industry category (see Appendix A to Part 122) contributing to a discharge must report quantitative data for the following pollutants in each outfall containing process wastewater:

(A) The organic toxic pollutants in the fractions designated in Table I of Appendix D for the applicant's industrial category or categories unless the applicant qualifies as a small business under paragraph (d)(8) of this section.

Table I of Appendix D, requires that applicants in the coal mining industry test and report data on all four organic pollutant fractions. Table II of Appendix D lists the organic toxic pollutants in each fraction.

Exempted from this testing requirement are coal mines whose average annual production is less than 100,000 tons of coal, and applicants whose outfalls were analyzed by EPA during EPA's industry sampling program, if the data is less than three years old and remains representative of the present discharge.

The National Coal Association (NCA) petitioned the Agency for reconsideration and stay of certain provisions of EPA's NPDES regulations and permit application form